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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,486	03/11/2005	Hodaka Irikuchi	SONY JP 3.3-345	4494
530 7590 11/14/2008 LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090				
EXAMINER				
TEKLE, DANIEL T				
ART UNIT		PAPER NUMBER		
2621				
MAIL DATE		DELIVERY MODE		
11/14/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/500,486

Applicant(s)

IRIKUCHI ET AL.

Examiner

DANIEL TEKLE

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

Applicant's arguments filed July 28, 2008 have been fully considered but they are not persuasive.

Applicant arguments regarding claim 1, the examiner respectively disagrees since Yap et al. discloses claimed limitation in paragraph 0087 reception/tuning plural programs, as well as recording one program while playback another program.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Yap et al. (US 20020092021).

Regarding Claim 1: Yap et al. discloses a recording/reproducing apparatus, comprising: at least two channel selecting mechanisms for taking in television signals on plural channels including a television signal on a program guide providing channel (**paragraph 0087 and 0096**), in that an electronic program guide has been stored at a predetermined timing (**paragraph 0047**), and selecting the television signal on a desired channel in the above plural channels (**paragraph 0047**); at least two signal processing

mechanisms for performing predetermined processing to television signal on desired channel selected by each of channel selecting mechanisms (**paragraph 0087**); electronic program guide extracting mechanism for extracting electronic program guide from television signal on program guide providing channel selected by channel selecting mechanism (**paragraph 0011-12**); switching mechanism for switching connections of channel selecting mechanisms to signal processing mechanisms and electronic program guide extracting mechanism (**paragraph 0056**); and control mechanism, in the case where a plurality of said predetermined different processing is simultaneously performed to one television signal on said desired channel by each of signal processing mechanisms (**paragraph 0087 and 0098**), for controlling said switching mechanism so that the signal processing mechanisms are collectively connected to one of said channel selecting mechanisms (**paragraph 0056**).

Regarding Claim 2: Yap et al. discloses a recording/reproducing apparatus according to claim 1, wherein; in the case where in providing of electronic program guide, a plurality of said predetermined different processing is simultaneously performed to television signal on said program guide providing channel in each of signal processing mechanisms (**paragraph 0087**), control mechanism controls said switching mechanism so that the above plural signal processing mechanisms and electronic program guide extracting mechanism are collectively connected to one of plural channel selecting mechanisms (**paragraph 0090**).

Regarding Claim 3: Yap et al. discloses a recording/reproducing apparatus according to claim 1, wherein: a recording medium for storing television signal subjected to

predetermined processing by each of signal processing mechanisms is included **(paragraph 0136)**; and each of signal processing mechanisms simultaneously performs compressively coding processing to one television signal on desired channel selected by one of channel selecting mechanisms at a different compression rate, respectively **(paragraph 0076)**, and said television signals compressively coded at the above different compression rates are recorded in said recording medium **(paragraph 0076)**.

Regarding Claim 4: Yap et al. discloses a recording/reproducing apparatus according to claim 1, wherein: a recording medium for storing television signal subjected to predetermined processing by each of signal processing mechanisms is included **(paragraph 0136)**; and plural signal processing mechanisms simultaneously perform processing for viewing or respectively different compressively coding processing to one television signal on desired channel selected by one of channel selecting mechanisms **(paragraph 0076)**, and television signals subjected to the above compressive coding in the above processing for viewing and compressively coding processing, are recorded in recording medium **(paragraph 0076)**.

Regarding Claims 5-9: Claims 5-9 are rejected for the same subject matter as claims 1-4 respectively.

Regarding Claim 10-11: Claim 10-11 are rejected for the same subject matter as claim 1.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL TEKLE whose telephone number is (571)270-1117. The examiner can normally be reached on 7:30am to 5:00pm M-R and 7:30-4:00 Every other Friday..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on 571-272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Marsha D. Banks-Harold/
Supervisory Patent Examiner, Art Unit 2621
/Daniel Tekle/
Examiner, Art Unit 2621